

VOL XVIII. NO. 208

SALT LAKE CITY, UTAH SUNDAY FEBRUARY 19, 1888

PRICE FIVE CENTS

## UTAH'S STATEHOOD.

## The Senate Committee on Territories

## LISTEN TO THE ARGUMENTS

Of Delegate Caine, Ex-Senator McDonald, Judge Jeremiah Wilson and F. S. Richards, Esq.

## Utah's Appeal for Statehood.

WASHINGTON, February 18.—The Senate committee on Territories gave a hearing to-day, upon the admission of Utah as a State, to Franklin S. Richards, of Salt Lake City. He described the barrenness when the settlers first entered it, and the wonderful productivity, prosperity and wealth which have resulted from their diligence and enterprise. This was Utah's fifth petition for admission, and as the oldest of the Territories, it was hoped her appeal would be heeded. She had reached a point beyond which progress under territorial government was impossible. It had been objected that the Mormons were polygamists. As a matter of fact, not more than 2 per cent. of them ever were polygamists. Now, time was rapidly solving the problem. Members of the constitutional convention took oaths against polygamy, and adopted a constitution which made polygamy or bigamy a crime. As the speaker read the passages of the constitution providing that the anti-polygamous sections shall never be repealed or changed without the assent of Congress and the President, Senator Butler queried: "You don't expect Congress to act favorably on such a proposition, do you? I, for one, say frankly and emphatically, I will not vote for it. I do not believe Congress or the President has anything to do with changing the Constitution."

Senator Stewart, assenting, said he did not think Congress had the right to make a treaty with a State or Territory. Richards said that whatever might be the opinion of the committee, the provision at least demonstrated the good faith of the men who framed the constitution to do all in their power, if permitted, to bring Utah into harmony with the country. The people of Utah recognized that the country required, and they wished to meet the requirements. They, however, proposed to accomplish it by more humane methods than those proposed by the present laws. He sketched cases of Mormons who had been tried and convicted by the courts and showed by what he declared to be indisputable facts that parties were illegally convicted of the charges brought against them. The prosecution and courts, unable to bring proofs of unlawful cohabitation, in fact, had invented constructive cohabitation, and convicted and punished offenders for this.

Members of the committee asked if the stories as Richards related them, embodied the facts which were conceded by the prosecution.

Richards could not say what he considered, but said he stated what he, having been present as counsel for the defense, knew to be the truth.

It was proposed by Senator Platt and others that the names of the prosecuting officers be taken, with the view to inquire of them as to their version of the matter, and with this understanding the witness proceeded. As to the marriage relation he said much misapprehension existed, by reason of the confusion of the term "celestial" with "plural" marriages. He explained the difference at great length, and read Mormon revelations on the point. A celestial marriage might, or might not, be a plural marriage. Under the latter, however, cohabitation with more than one wife was permitted. Celestial marriage was made for time and for eternity. It was not true that plural celestial marriage was enjoined upon the Mormons, the fact being that it was only merely permitted. There was no union of church and State. The tithing features of the Mormon revelations were originally for the government of the community in Missouri. They were, however, held by many Mormons to be binding now, but there was now no legal requirement that tithes be paid. Contributions were entirely voluntary.

Answering the charge that Utah was governed by a hierarchy, he said that there was no such thing in the sense named. He read from the Doctrine and Covenants of the Church, a declaration avowing the complete distinction between the civil and religious authority, and went on to show that the church government went no further than the withdrawal of fellowship for transgression. The kingdom of God was only to rule on earth when Christ should reign supreme.

Ex-Senator McDonald followed Richards, discussing the legal features of the case, and arguing that the power of Congress to compel submission to any regulations, with regard to marriage relations, was not impaired by admission as a State. He cited the case of Louisiana, where it was required that civil liberty should be secured as a condition of her admission. He argued that Congress had the right to protect our civilization. The provision against polygamy and bigamy had been incorporated in the constitution and the history of the past showed that provisions so fixed were effective. He claimed that Congress had no right to keep the Territory out of the union of States after its people had fulfilled the conditions and complied with the requirements prescribed for its admission.

Senator Butler, conceding the propriety of incorporating any prohibition of polygamy and bigamy in a State constitution, yet claimed that under the present national constitution, government had no right thereafter to control the matter. He admitted that if a Territory were to come in with the present provision in its constitution, then Congress and the President would have the right to interfere, but he for

one did not propose to admit a State with any such right of interference. Delegate Caine said the people of Utah, on four separate occasions, asked admission. One objection was polygamy. It was not a question of religious belief, but the Constitution permitted no breach of the laws which are deemed necessary for the protection of society. While a State could not prescribe religious beliefs, it could forbid practices which, though sanctioned by revelation, were held to be detrimental to good morals. There was no pretense that religious beliefs of the people were to be inquired into.

Caine defended his co-religionists of Utah against the charges brought by various writers; he declared that they were upright, worthy people; that, though revelation permitted plural marriage, and though all members of the church might have married repeatedly, the large majority of the people of Utah had sought to put themselves into conformity with the requirements of the country. The constitution adopted by the convention was not the work of a conspiracy. There was but one point in it about which there could be any question, and that was, whether the twelfth section embodied the honest views of the 13,185 men who voted to ratify it. This section makes polygamy and bigamy a misdemeanor, punishable by fine and imprisonment. He declared, upon his honor, that the people of Utah did deliberately and unreservedly adopt that section in good faith, as the law of the land, and intended to enforce it in the new State. In reply to questions, he said the last plural marriage of which he had knowledge, was that of Rudger Clawson, several years ago. This man had been tried, and had suffered imprisonment for his offense. The present Legislature of Utah, now in session, has before it a bill for marriage laws, prohibiting polygamy and bigamous marriages. This has been reported favorably from the committee on judiciary. Those who oppose Statehood for Utah, he continued, care nothing for the religion or morals of the Mormons; it is their politics which they oppose. If you would satisfy them, you must disfranchise every Mormon on account of religious belief.

Judge Jeremiah Wilson also addressed the committee. He eulogized the people of Utah as among the thriftiest, most honest and temperate of the world, and challenged comparison with any community, as to the progress they have made in all that goes to constitute an enlightened and civilized people. The whole opposition to the admission of Utah, he said, might be summed up in two propositions: Assault upon religious belief and attempt to govern the majority by the minority. The Mormons were the objects of abuse, because they held young power which could not be legitimately overcome at the polls. He said they had broken no promise or betrayed a trust, and therefore their sincerity in this matter ought not to be questioned. He contended in a legal argument that if the State broke the compact made with all the other States represented by Congress, the latter had inherent power, and all that was necessary to enforce the provisions of the contract. It asked whether, in his opinion, the people of Utah could be trusted to make this compact and exercise the powers of Statehood, he would answer most solemnly and emphatically, "Yes."

Delegate Dubois, of Idaho, addressed the committee in opposition to the petition for admission. He admitted the population of Utah to be 190,000, and sufficient, so far as numbers go, to entitle the Territory to Statehood; but declared that this population was mainly imported directly from Europe by the Mormon church. Even with an insufficient police force, he said, the number of arrests was enormously disproportionate to the population, and the vast majority of prisoners arrested were convicted. Utah had been blessed with a superior climate and soil; she lay on the direct line between the east and California, yet with such advantages, her taxable wealth only aggregated \$30,000,000, of which \$10,000,000 was railroad property not owned in Utah, and \$10,000,000 of which belonged to the 30,000 Gentile inhabitants of that Territory. Her taxable wealth averaged only \$175 per capita, while the neighboring Territories ranged from \$300 to \$700. He asked to be informed by any advocate of admission, why the practice of Brigham Young and John Taylor was now admitted to be wrong; and argued that the cause of the Mormons in future could be best judged to their past. They had been driven out of Missouri by reason of their polygamous practices, and had established themselves in Illinois, where they founded the City of Nauvoo, and undertook to do something. They secured a city charter, which made them also independent of State control, and then ensued regulations of such a character that the outraged people of the State arose in their might and drove them away. Crime was rife in Utah, and criminals had the sympathy of the entire Mormon people. If any reform was provided, any abstinence from the practices pronounced by law to be criminal, the man who promised it was ostracized. The Legislature refused to make provisions for the arrest and punishment of criminals, and the United States government was compelled to bear the burden of the local government of the Territory. The new constitution was half a trick, half a lie, and those who presented it did not come as free men to free men; but with cringing and cowardice, proposed to bind themselves for the future in a way which was required of no other State. The Territory could not come in under this constitution as an equal, and the provision against the amendment of its constitution was therefore, either entirely nugatory or entirely wrong. Gentiles of the Territory did not believe that two years of Statehood would elapse before the Constitution would be changed to meet the views of the church.

Richards asked leave to reply to Mr. Dubois, but Senator Paddock (not a member of the committee, but present as an interested party) stated that the opponents of the petition would wait a further opportunity to present their case, and the committee, therefore, adjourned for the day.

## FROM THE CAPITAL.

## An Important Circular to Railroads.

## THE NEW FISHERIES TREATY.

The Crown Prince—Starving Indians—The Irish—Perjury and Conspiracy—Other News Notes.

## Notes From Washington.

## CIRCULAR TO RAILROADS.

WASHINGTON, February 18.—The auditor of the inter-state commerce commission has issued the following circular to railroads located wholly in one State or Territory, regarding the filing of freight and passenger traffic with connections to or from point outside of such State or Territory, or through tickets or bills of lading, should file tariffs covering such traffic with the commission. If such through rates are made by the addition of local rates to the rates of connecting roads, such local tariffs should be filed with the commission, together with the statement that through inter-state rates are made by adding such local rates to the rates of the carrier (naming it) with which connections are made. If joint rates are made on any basis, other than by the addition of local rates to through rates of connecting carriers, tariffs showing such rates should be filed with the commission, covering all inter-state business transacted thereunder.

## INCREASED POSTAL FACILITIES.

Postmaster-General Dickinson has sent telegraphic instructions to the postmasters of Los Angeles, San Diego and Pasadena, Cal., authorizing the employment of an efficient force in each office to meet the temporary and permanent needs of the service. A superintendent and an inspector of the Postoffice Department are directed to visit these offices, and to render to the postmasters every required assistance in reorganizing and increasing the service, and extending the office facilities.

At Los Angeles, in addition to the regular force, a superintendent of mails and a superintendent of the money order division are authorized, at a salary of \$1,200 a year; and a superintendent of carriers, at \$1,000. Two branch stations for carriers are suggested.

At Pasadena, two permanent clerks, at \$1,200 each per annum, and four at \$800 each, are authorized, and a free delivery service is suggested.

At San Diego, in addition to the general authority to employ a sufficient force to properly handle mails, the postmaster is authorized to appoint one clerk at \$1,200 per annum.

The Postmaster-General has ordered the establishment of a mail route from Horace, Kas., to Pueblo, Colo., by way of the Denver & Memphis, Atlantic & Pacific and State Line railroads. The contract calls for service six times a week, beginning March 1.

## CHINESE QUESTION IN COMMITTEE.

The Senate committee on foreign relations heard arguments to-day from the Pacific Coast delegation in Congress, in favor of further legislation to restrict the immigration of Chinese.

Senator Stewart explained the provisions of the bill recently introduced by him, amending the Chinese restriction act. He said that under the present law the Chinese enter this country in large numbers through British and Mexican ports. Frequently, when the collector of the port refused to allow Chinamen to land, they would apply for writs of *habeas corpus*, which sprung upon United States courts an immense amount of business, to the detriment of other matters before them. These applications, he said, were generally successful, and Chinamen gained entrance. He thought the courts should be relieved of these Chinese cases, and that the Secretary of the Treasury should, as proposed by the bill, be given enlarged powers in prescribing rules and regulations regarding certificates granted to the Chinese. A practical administration of the existing restriction laws was exceedingly difficult, and in attempting to evade their provisions, the Chinese would invent all manner of schemes. He held that the various provisions in the bill would invoke no violation of the existing treaty.

Representative Morrow, of California, said the restriction act was not very effective in its administration. It was the duty of the Pacific Coast delegation in Congress, to take action looking to some radical improvements in existing treaties. When a Chinaman was refused admission at one of the ports, he always found some other loophole by which to enter. He hoped for a speedy settlement of the matter, so that people from the eastern part of the United States, desiring to emigrate, would not be deterred by apprehensions of future trouble in regard to the Chinese.

Representative Felton said that the proposed legislation was entirely inadequate to accomplish the results desired. It was necessary that some legislation more definite in its provisions should be enacted. He had trustworthy information that Chinese continued to come into this country, notwithstanding the existence of the present law. The Chinese government, he said, had made no attempt to observe the present treaty, and he held that there was no reason for further delay, if the people of this country desired to avert it.

Senator Mitchell, Oregon, said he had given much study to the matter, and had decided convictions upon it. He was pretty well agreed that the Pacific delegation was in favor of the absolute exclusion of Chinese, and was satisfied that the existing law was insufficient. Something radical was imperatively demanded. The Chinese nation would not be likely to protest against new legislation that might be framed,

because they themselves knew they had violated the present treaty. The treaty of absolute exclusion would be hailed with joy by the people of the Coast. Other gentlemen present spoke in a similar strain.

Representative Thompson was unable to be present, but sent the following letter:

WASHINGTON, February 18, 1888.

Hon. John H. Sherman, Chairman Committee on Foreign Relations:

Sir—Acknowledging the receipt of your note, this day at hand, I have to express the hope that some effective method may be adopted to secure the exclusion of Chinese from our shores, and can only suggest the exercise of all legitimate powers of the government, legislative and executive, looking to the adoption of such measures, pledging my support, as a representative, to any measure that may effect this greatly desired result.

Respectfully,  
THOMAS L. THOMPSON.

## The Fisheries Treaty.

NEW YORK, February 18.—An Ottawa special says: It has been arranged that the next international move will be in the direction of the location of the boundary line between British Columbia and Alaska, in the event of a satisfactory settlement of the fishery question. The matter will be submitted to a commission on which England will be represented. The Canadian government has been pressing for the appointment of a commission for over a year past. The settlement of the fishery question has already created an angry controversy between government and opposition organs. Several official newspapers, guided by the tone of American dispatches, have little praise for Tupper. Others say they will content themselves with congratulating the commissioners on the conclusion of their labors until the treaty is published. Liberal, or opposition papers, unanimously deplore the alleged result. Montreal and Halifax newspapers are accusing Tupper and Chamberlain with willfully sacrificing Canadian interests.

## To Test Its Constitutionality.

WASHINGTON, February 18.—William McK. Gatchell, of New York, agent for the National Anti-Nuisance League, is here to arrange for the beginning of a suit in the Supreme Court of the District of Columbia to test the constitutionality of the license system. Gatchell says that similar suits are to be brought in all States to terminate in the United States Supreme Court. The object is to show that licenses are unconstitutional. If this can be done, the league expects that prohibition legislation will follow everywhere as a matter of protection.

## The Democratic Congressional Committee.

WASHINGTON, February 18.—At a meeting, to-day, of the House Democratic Congressional committee, a number of vacancies on the committee were filled as follows: Colorado, Bela M. Hughes; Nevada, George Cassidy; Idaho, John Halley; Wyoming, M. E. Post; Oregon, Charles S. Nichols. There was some informal talk on the work to be done and then the committee adjourned to meet on Thursday next, with the Senate committee to select an executive committee.

## Perjury and Conspiracy.

SAN FRANCISCO, February 18.—John Abenson, who is under indictment in the United States Circuit Court, on charges of perjury and conspiring in connection with alleged fraudulent surveys of public land, and who was recently arrested in Copenhagen, arrived here to-day in custody of United States Marshal J. C. Franks. He was taken before the Circuit Court and his bonds increased from \$30,000 to \$300,000. Benson stated that he would furnish the required security Monday, and he was recommended to the custody of the marshal.

## The Crown Prince.

LONDON, February 18.—A San Remo dispatch says: The Crown Prince is worse this morning. His sleep last night was troubled. His throat does not heal, and the case has assumed a serious aspect since last night. San Remo, February 18.—A bulletin at 10:30 a.m. says: The Crown Prince passed a better night. He suffered from neither cough nor fever to-day. He feels altogether improved.

## Starving Indians.

EDMONTON, N. W. T., February 18.—Cunningham, member of the northwest council, just returned from a trip to Lac la Biche, reports the condition of Indians there as deplorable. These Indians have been cut off from government assistance since the Kiel rebellion. They are now raiding the settlers or eating them out of provisions by begging. The state of affairs in Edmonton district is no better. Indians are actually dying from starvation.

## Ovation to Agitators.

LONDON, February 18.—R. Cunningham Graham, member of Parliament for Lanarkshire, and John Burns, socialist leader, convicted of having taken part in an unlawful assembly in Trafalgar Square and sentenced to six weeks' imprisonment each, were released to-day. A crowd gathered around the prison and when the men emerged, they were given an ovation.

## The Irish.

DUBLIN, February 18.—John Hooper, member of Parliament for Cork, and editor of the *Cork Herald*, sentenced to two months' imprisonment for publishing reports of meetings of suppressed branches of the National League, was released to-day from Tullamore jail.

## Jury Disagreed.

DUBLIN, February 18.—Wilfred Blunt's suit against Magistrate Byrne, of Loughrea, resulted in a disagreement of the jury.

## The Session Concluded.

NEW ORLEANS, February 18.—The American Shipping and Industrial League convention concluded its session this afternoon. The day was consumed in listening to addresses. Resolutions setting forth the great value to the nation of the establishment of an American merchant marine, was unanimously passed. It was presented in connection with a draft of the tonnage bill, which it is proposed to lay before Congress for its action.

## Supposed Murderer.

LOS ANGELES, Cal., February 18.—The theory is published here to-day that the notorious Cook with several aliases, one of which is Clark, who was lodged in jail here Wednesday night, and escaped in a few hours by cutting through the wall, is the man wanted in Chicago for the murder of A. J. Snell. His description tallies with that given in the Associated Press dispatches published this morning.

## A Denver Suicide.

DENVER, February 18.—L. F. Lindsay, clerk of the United States land office here, suicided last night, by taking two ounces of laudanum, and then cutting his throat from ear to ear with a razor. Financial matters was the cause first given, but to-day it is discovered that his accounts in the office are \$5,000 short, and it is now believed that his inability to replace the money and his fears of discovery prompted him to the act.

## Convert to Home Rule.

LONDON, February 18.—T. R. Buchanan, Gladstonian candidate, was re-elected, to-day, for the west division of Edinburgh. He is a convert to home rule ideas.

## Fresh and Puzzling Symptoms.

SAN REMO, February 18.—Fresh and puzzling symptoms have manifested themselves in the case of the Crown Prince. The uneasiness concerning his condition has increased.

## SPECIAL NOTICES.

Advertisements in this column, for articles lost or found, for situations offered or wanted, houses for rent or wanted to rent, will be charged for at the rate of 5 cents per line for one insertion, and 2 1/2 cents per line for each subsequent insertion. Professional card, 7 1/2 cents per line the first time, and 4 cents each subsequent time.

Do you want a situation?  
Have you a house to rent?  
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